

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

NATIONAL FORGE COMPANY, et al.,

Debtor.

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF NATIONAL FORGE
COMPANY,

Civil No. 04-21 Erie

Document No. _____

Plaintiff,

and

OFFICIAL COMMITTEE OF RETIREES
OF NATIONAL FORGE COMPANY,

Intervenors,

v.

E. ROGER CLARK, both Individually and as
an Officer and Director of National Forge
Company, et al.,

Defendants.

ORDER

On this _____ day of September, 2005, and upon consideration of the Defendants' motion (the "Motion") styled "Defendants' Joint Motion for an Order Allowing Them to Withdraw Their Motion for Summary Judgment and Fixing the Date to Plead to the Amended Complaint," it is hereby

ORDERED, that the Motion is granted, and the motion for summary judgment filed by Defendants Clark, Cashman, Beyeler and Kaemmerer [Document No. 23] and accompanying brief [Document No. 25] and the joinders filed by the remaining Defendants to that motion and

brief [Document Nos. 26 and 27, respectively] are deemed withdrawn without prejudice; and it is further

ORDERED, that the Defendants shall plead to the Amended Complaint by September 26, 2005, and if the Defendants move for summary judgment, the Plaintiff (and if it elects to plead, the Intervenor) shall respond to that motion by October 17, 2005, and Defendants' replies (should they elect to file replies) shall be filed by October 31, 2005.

SEAN P. MCLAUGHLIN
UNITED STATES DISTRICT JUDGE

Counsel of Record _____